

INELIGIBLE VOLUNTEER RECORD SHEET
REGISTRATION SERVICE
BOY SCOUTS OF AMERICA

Council No. 539 Date Dec. 1, 1989
Full name Russell C. Appler AKA Goodfellow & Applegate
Social Security Number [REDACTED] (can possibly get full name)
Address [REDACTED]
City Valley Forge State PA ZIP Code 19481
Date of Birth 20 June 1925 (This is important and should be exact.)
Approximate age 64 (To be used ONLY when date of birth is not known.)
Religion _____ Nationality _____
Occupation Respiratory Therapist Education _____
Weight 190 lbs. Height 6' Race White
Color of hair Gray Color of eyes _____
Outstanding characteristics or interests None
Married or single Married Children Yes [REDACTED]
(Number, ages, and names, if possible)
Spouse's name [REDACTED]
Scouting connections [REDACTED] Chartered organization: _____
Unit No. 73 City Phoenixville State PA
Position CC Date registered 12/88 Date resigned 9-1-89
Special recognition _____
Suspended or denied registration for following reasons: See Attached

SPECIFY THE FACTS THAT LEAD YOU TO RECOMMEND DENIAL OF REGISTRATION, INCLUDING HOW THE INFORMATION CAME TO THE COUNCIL'S ATTENTION, AND LIST ATTACHED SUPPORTING DOCUMENTS (STATE ONLY KNOWN FACTS, NOT RUMOR, CONJECTURE, OR SPECULATION):

Signed [Signature]
SCOUT EXECUTIVE

Council Clinton County

CONFIDENTIAL

APPROVED

DEC 13 1989

JUN 13 1990

F. STARON

JOSEPH L ANGLIM

CONF018118

June 14, 1990

Mr. Paul D. Beauregard
Scout Executive
Chester County Council, No. 539

PERSONAL AND CONFIDENTIAL

SUBJECT: Russell C. Appler

Dear Paul:

Thank you for the detailed information sent concerning the above Scouter. This case has been reviewed with our attorney and is now on our permanent Ineligible Volunteer File.

Sincerely,

Paul Ernst, Director
Registration Service

eko

cc: Northeast Region

READY TO FILE
JUN 14 1990
ERIN OWLEY

CONF018119

May 16, 1990

Mr. Paul D. Beauregard
Scout Executive
Chester County Council, No. 539

PERSONAL AND CONFIDENTIAL

SUBJECT: RUSSELL APPLER

Dear Paul:

Thanks so much for the material you recently sent. This completes our file and gives us all the material we will need for refusal of registration in the future.

We really appreciate the careful work you did in giving us a strong file.

Sincerely,

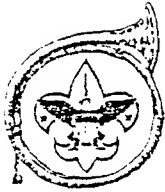
Paul Ernst, Director
Registration Service

jf

cc: Northeast Region

MAILED
MAY 16 1990
ERIN DRILEY

CONF018120



Chester County Council

BOY SCOUTS OF AMERICA

504 South Concord Road, West Chester, Pa. 19382

May 1, 1990

Mr. Paul Ernst, Director
Registration Service
National Office
Boy Scouts of America
1325 Walnut Hill Lane
P.O. Box 152079
Irving, Texas 75015-2079

PERSONAL AND CONFIDENTIAL

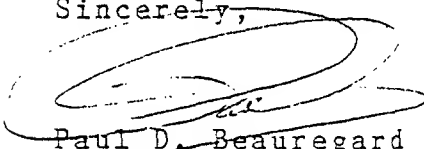
SUBJECT: Russell C. Appler

Dear Paul:

I asked our Council Attorney to assist me in completing the file on Russell C. Appler. Enclosed is his reply accompanied with the back-up material you requested.

If you need any other documentation please let me know.

Sincerely,


Paul D. Beauregard
Council Executive

PDB/mm

enclosure

CONF018121

RECEIVED MAY 01 1990

LAW OFFICES
GAWTHROP, GREENWOOD & HALSTED
A PROFESSIONAL CORPORATION

[REDACTED]
WEST CHESTER, PENNSYLVANIA 19381-0502

TELEPHONE [REDACTED]

TELEFACSIMILE [REDACTED]

COUNSEL
ROBERT S. GAWTHROP, JR.
W. EDWARD GREENWOOD

JOHN S. HALSTED
ROBERT F. ADAMS
KEVIN HOLLERAN
PAULA FRANCISCO OTT
GEORGE C. ZUMBANO
MARK L. TUNNELL
ROBERT M. BURKHOLDER, JR.
WALTER P. ELLS
JOHN L. HALL
LISA A. COMBER

April 30, 1990

Paul D. Beauregard, Scout Executive
Boy Scouts of America
[REDACTED]

West Chester, Pennsylvania 19382

Dear Paul:

Concerning Russell Appler, I asked John Hall, who's more familiar with criminal matters, to look into this. Enclosed please find a copy of his April 26, 1990 memo as well as the back-up documentation. Please let me know if there is anything further you need.

With regards.

Very truly yours,

Kevin

Kevin Holleran

KH/jls
Enclosures

CONF018122

M E M O

TO: KH DATE: April 26, 1990

FROM: JLH

RE: Boy Scouts and Girl Scouts

Russell Appler entered a guilty plea on March 20, 1990 before Judge Gavin. Mr. Appler's guilty pleas were for eight separate offenses covering four separate criminal complaints. On each criminal complaint Mr. Appler pled guilty to indecent exposure and corruption of minors. The guilty plea colloquys and sentencing records indicate that the defendant was placed on five years probation for each corruption of minors charge concurrent with each other. Concurrent to the corruption of minors charges, the defendant also received two years probation on each indecent exposure charge, each two year probationary period to be served concurrent to each other. Hence, in effect, the defendant, Mr. Appler will be serving a five year term of probation. If Mr. Appler violates his probation within the first two years he can be found in violation of all eight charges and resentenced on all of them. If Mr. Appler is found to be in violation of his probation between the second and fifth year then he will be subject to being violated on only the four counts of corruption of minors. Mr. Appler was also sentenced to pay a \$10.00 fine on all eight offenses as well as the cost of prosecution and have no physical contact with children under the age of fifteen, other than his own. Additionally, as a special condition of his probation Mr. Appler was ordered to enter and successfully complete a sex offender's program to be monitored by the Adult Probation Department. Complaint affidavits, sentencing sheets from the Clerk of Courts' Office and pages of the guilty plea colloquy form which Mr. Appler signed indicating and documenting the aforementioned facts are attached to this memo.



COMPLAINT NUMBER <u>C-171-89</u>	YEAR	TYPE	NUMBER
Complaint Numbers if Other Participants			
INCIDENT NUMBER <u>C-252-89</u>	UCR NO. <u>170</u>	OTN <u>C346181-3</u>	

John T. JEFFERS,
DISTRICT JUSTICE
MAGISTERIAL DISTRICT NO. 15-2-01
[REDACTED]
Phoenixville, PA

REVIEW
(If Applicable)

COMMONWEALTH OF PENNSYLVANIA

DEFENDANT.

NAME

Russell C. Appler, W/M/Dob: 20 Jun 25

AND

ADDRESS

Valley Forge, PA

R.S.A.

Chief T.R. Marchegiano
Det. Donna J. Carroll

Schuylkill Twp. of PGiant)

of Chester County Dets.

(Identify department or agency represented and political subdivision)

do hereby state:

- (1) ☒ I accuse the above named defendant, who lives at the address set forth above or,
☐ I accuse an individual whose name is unknown to me but who is described as _____
☐ his nickname or popular designation is unknown to me and, therefore, I have designated him herein as John Doe.
with violating the penal laws of the Commonwealth of Pennsylvania at Schuylkill Twp.
(Place Political Subdivision)
in Chester County on or about Summer of 1988

Participants were (if there were participants, place their names here, repeating the name of above defendant).
Russell C. Appler

- (2) The acts committed by the accused were: (A) Indecent Exposure, 3127, Corruption of Minors, 301a, and Endangering the Welfare of Children, 4304

In that the above named defendant did knowingly, willingly, and intentionally expose his genitals to a female minor for the purpose of his own gratification. In so doing this act, the defendant did corrupt the morals of a minor and did endanger the welfare of a child.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of 3127, 301a, 4304 (Section) of the Act of PA Crimes Code (Sub-section) or the Ordinance of (Political Sub-division)

- (3) I ask that a warrant of arrest or a summons be issued and that the accused be required to answer the charges I have made.

- (4) I, verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa. C.S. §4904) relating to unsworn falsification to authorities.

October 18, 1989

(Signature of Affiant)

AND NOW, on this October 18, 19 89, I certify the complaint has been properly completed and verified, and that there is probable cause for the issuance of process.

15-2-01

(Magisterial District)

(Issuing Authority)

(SEAL)

CONF018124

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CHESTER:

Complaint No.

OTN

Date of Affidavit

408789

AFFIDAVIT PA. CRIM. P. 119

Chief T. R. MARCHEGIANO, Det. Donna CARROLL, Schuylkill Twp. on /Ches. Co. Dets.
Name of Affiant (Police Dept. or address of private affiant) (Phone No.)
being duly sworn (or affirmed) before me according to law, deposes and
says that there is probable cause as stated below for the issuance of
process for the defendant named herein:

Defendant's name and address is:

A.K.A.
R.S.A.

Russell C. Appler

WMNH/DOB: 20 JUN 25

Valley Forge, PA

The defendant violated (describe conduct or specify statute): Indecent Exposure,
3127, Corruption of Minors, 6301a, and Endangering the welfare of children
Date of Violation: Summer of 1988

Probable cause belief is based on the following facts and circumstances:

On 17 OCT 89, your co-affiant, Det. Donna J. CARROLL, interviewed [REDACTED]
[REDACTED], 10 years of age. [REDACTED] told Det. CARROLL that during the summer
of 1988, she was staying overnight at the APPLER residence. During this stay
Mr. APPLER came to the door of the bedroom where [REDACTED], her friend [REDACTED]
and [REDACTED] were. While in the doorway Mr. APPLER lift the towel he
had wrapped around him and exposed his "private part" (penis) to the children.
[REDACTED] stated that Mr. APPLER was making a weezing sound when he did this.
After the children saw Mr. APPLER'S penis, Mr. APPLER smiled and laughed.
[REDACTED] stated she felt scared and upset at the time of this incident.

Mr. APPLER resides on [REDACTED], Chester County,
Pennsylvania.

Based on the aforementioned information your affiants believe probable
cause does exist and respectfully requests that an arrest warrant be issued
for Russell APPLER charging him with Indence Exposure, Corruption of Minors,
and Endangering the Welfare of Children.

() Continued on Additional Paper

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 18 DAY OF Oct 1989

Signature of Issuing Authority

19. No. 11201

Donna Carroll 13

Thomas R. Marshall

Signature of Affiant (Judge Number)

ADDITIONAL CRIMES TO WHICH DEFENDANT AGREES TO PLEAD GUILTY:

CRIME:

Info. # _____ Count # _____ Crime Code § _____

Maximum Sentence: _____ Maximum Fine: _____

Elements: _____

Definition of Terms: _____

CRIME:

Info. # _____ Count # _____ Crime Code § _____

Maximum Sentence: _____ Maximum Fine: _____

Elements: _____

Definition of Terms: _____

In support of his plea the defendant admits that the following facts did occur: In the summer of 1988, the defendant

came to the door of a bedroom in his home
while wearing only a towel. The defendant
exposed his genitals to two (2) nine year old
girls by opening the towel and watching making
moves to attract their attention.

ALL COUNTS NOT DISPOSED OF ABOVE (NOT DISPOSED OF PURSUANT TO
PLEA BARGAIN, IF ANY, ATTACHED HERETO), INCLUDING SUMMARY
OFFENSES AT THE ABOVE INFORMATION NUMBER(S), ARE WITHDRAWN, AND
ANY OUTSTANDING BENCH WARRANTS ARE CANCELED.

Russell Apple
Defendant

COMMONWEALTH OF PENNSYLVANIA

: COURT OF COMMON PLEAS

: CHESTER COUNTY, PENNSYLVANIA

: CRIMINAL

: NO. 4087-89

Russell Apple

GUILTY PLEA COLLOQUY

The defendant agrees to enter a plea of guilty to the following crimes:

CRIME: Indecent ~~Exposure~~ Exposure.

Info. # 4087-89 Count # I Crime Code § 18 P.S.

Maximum Sentence: 2 years Maximum Fine: \$5,000

Elements: For the purpose of arousing or gratifying sexual desire of himself or another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm.

Definition of Terms:

CRIME: CORRUPTION OF MINORS

Info. # 4087-89 Count # II Crime Code § 6301

Maximum Sentence: 5 years Maximum Fine: 10,000

Elements: Being over the age of 18 years and upwards, corrupt or tend to corrupt the morals of a child under 18 years

Definition of Terms:

Russell Apple
Defendant

CHECK ONE:

_____ This is an OPEN PLEA OF GUILTY to the crime(s) set forth on the previous page(s). There is no plea bargain or other agreement relating to the plea to these crimes.

✓ _____ This plea is part of a PLEA BARGAIN. If the Court accepts this PLEA BARGAIN, the defendant understands that his sentence(s) will be as set forth below. If the Court does not accept this bargain, then the plea of guilty will be deemed withdrawn.

FOR PLEA BARGAINS ONLY:

Information No: 4087-89 Court No: I Charge: Indecent Exposure
SENTENCE:

Imprisonment: _____ Probation: 2 yrs
Costs, plus \$ _____ fine; \$ 10. to the use of Chester Co.

Concurrent with/consecutive to: _____

Other Disposition: ① No physical contact with children other than own, under age of 15 years
② See attached

Information No: _____ Court No: II Charge: Corruption of Minors
SENTENCE:

Imprisonment: 6 mos Probation: 5 years
Costs, plus \$ _____ fine; \$ 10. to the use of Chester Co.

Concurrent with/consecutive to: Court I

Other Disposition: _____

Information No: _____ Court No: _____ Charge: _____

SENTENCE:

Imprisonment: _____ Probation: _____
Costs, plus \$ _____ fine; \$ _____ to the use of Chester Co.

Concurrent with/consecutive to: _____

Other Disposition: _____

[Signature]
Assistant District Attorney

[Signature]
Defendant

Date: 3/20/90

[Signature]
Attorney for Defendant

[SIGN ON PAGE 4 IF THERE ARE ADDITIONAL DISPOSITIONS]

2. As a special condition of this problem, the defendant will enter and successfully participate and complete the Sex Offenders Program through the Adult Probation Office. The defendant, as part of that program, will be required to sign a waiver of confidentiality regarding any statements made by the defendant or information obtained by the Sex Offenders Program. Successful participation in the Sex Offenders Program requires complete admission to those offenses to which the defendant has pleaded guilty.

IN THE COURT OF COMMON PLEAS
COUNTY OF CHESTER

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL ACTION NO. 4087-89

OTN: C346181-3

VS.

RUSSELL C. APPLER DEFENDANT

The District Attorney of Chester County, by this INFORMATION charges:

FIRST COUNT:

Indecent Exposure

That on or about THE SUMMER OF 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court did for the purpose of arousing or gratifying sexual desire of himself or of another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm,

Citation: 18 C.P.S.A., Section 3127.

SECOND COUNT:

Corruption of Minors

That on or about THE SUMMER OF 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court, did being the age of 18 years and upwards, corrupt or tend to corrupt the morals of a child under the age of 18 years or aided, abetted, enticed or encouraged a minor in the commission of any crime.

Citation: 18 C.P.S.A., Section 6301 (a).

THIRD COUNT:

Endangering Welfare of children

That on or about THE SUMMER OF 1988, the defendant above named, in the County aforesaid and within the jurisdiction of this Court, did knowingly endanger the welfare of the child by violating a duty of care, protection or support,

Citation: 18 C.P.S.A., Section 4304.

RECEIVED

JAN 12

CLERK OF COURT

all of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

CERTIFICATE OF READINESS

The District Attorney hereby

certifies that as of the

date of this information, the

Commonwealth is prepared to

proceed to trial.

Attorney for the Commonwealth

CE BY: [Signature] FROM THE RECORD

This day of [Month] 19[Year]

Assistant District Attorney

Deputy Clerk of Courts

No. 4087-89 OTN C 346181-3Date 3-20-90Judge GAVIND.A. CRANEDefense DonatoniReporter STRAHANClerk JSSDefendant RUSSELL C. APPLEPlea Guilty Plea Barg X Molo N/PSeen found Guilty V.O. Parole Prob Sentencing Alford Plea Sum. App Count / CHARGE: INDECENT EXPOSURE (M)

Committed for yr mo days to yr mo days Consec. to
 Probation for 2 yr mo days Pay (FINE) \$ 10.00 & \$ Conc. with 4083-4085-4086-89 (costs)
 (U/C)
 SERVE SENTENCE AT CCP SCI Pay all sums within days mos yrs
 RESTITUTION OF TO

Count CHARGE: COERCION Minors (M)

Committed for yr mo days to yr mo days Consec. to
 Probation for 5 yr mo days Pay (FINE) \$ 10.00 & \$ Conc. with 4083-4085 (costs)
 (U/C)
 SERVE SENTENCE AT CCP SCI Pay all sums within days mos yrs
 RESTITUTION OF TO

Count CHARGE:

Committed for yr mo days to yr mo days Consec. to
 Probation for yr mo days Pay (FINE) \$ & \$ Conc. with costs
 (U/C)
 SERVE SENTENCE AT CCP SCI Pay all sums within days mos yrs
 RESTITUTION OF TO

Count CHARGE:

Committed for yr mo days to yr mo days Consec. to
 Probation for yr mo days Pay (FINE) \$ & \$ Conc. with costs
 (U/C)
 SERVE SENTENCE AT CCP SCI Pay all sums within days mos yrs
 RESTITUTION OF TO

Count CHARGE:

Committed for yr mo days to yr mo days Consec. to
 Probation for yr mo days Pay (FINE) \$ & \$ Conc. with costs
 (U/C)
 SERVE SENTENCE AT CCP SCI Pay all sums within days mos yrs
 RESTITUTION OF TO

Count CHARGE:

Committed for yr mo days to yr mo days Consec. to
 Probation for yr mo days Pay (FINE) \$ & \$ Conc. with costs
 (U/C)
 SERVE SENTENCE AT CCP SCI Pay all sums within days mos yrs
 RESTITUTION OF TO

OTHER CONDITIONS:

☒ Other counts are N/P or W/D☐ Credit for time served ☐ COAD and safe driving school ☐ Sentence to commence ☐ Parole order signed ☐ Work Release Approved ☐ EHC Approved ☒ Same conditions as 4083-89Journey for Defendant

Subpoena not members of the Chester

County Bar provide address

CERTIFIED FROM THE RECORD

This day of 19

Deputy Clerk of Courts

Court Clerk



COMPLAINT NUMBER <u>C 470-87</u>	YEAR	TYPE	NUMBER
Complaint Numbers if Other Participants			
INCIDENT NUMBER 89-10-1925	UCR NO. 23689	OTN C346182-4	

JOHN T. JEFFERS
DISTRICT JUSTICE
MAGISTERIAL DISTRICT NO. 15-2-1
[REDACTED]
Phoenixville, PA 19460

JOHN T. JEFFERS
DISTRICT JUSTICE
MAGISTERIAL DISTRICT NO. 15-2-1
Phoenixville, PA 19460

Det. Donna J. Carroll
Chief T.R. Marchegiano
Chester County Dets.

DEFENDANT
NAME
AND
ADDRESS

RUSSELL APPLER

Valley Forge, PA 19481

DOB: 06-20-25

W/M

(Identify department or agency represented and political subdivision)

Phoenixville, PA 19460

hereby state:

☒ I accuse the above named defendant, who lives at the address set forth above or,
☐ I accuse an individual whose name is unknown to me but who is described as

☐ his nickname or popular designation is unknown to me and, therefore, I have designated him herein as John Doe;
with violating the penal laws of the Commonwealth of Pennsylvania at [REDACTED] (Place Political Subdivision)

in Chester County on or about August 1989

Participants were (if there were participants, place their names here, repeating the name of above defendant).

Russell C. Appler

The acts committed by the accused were: (A)

INDECENT EXPOSURE (PCC 3127 M-2)
CORRUPTION OF MINORS (PCC 6301 A M-1)
Endangering the Welfare of Children (PCC 4304)

In that the defendant did knowingly and intentionally expose his genitals under circumstances in which he knew his conduct would cause, affront and alarm and that the defendant knowingly and intentionally, being of the age of 18 years and upward corrupt or tend to corrupt the morals of one ANDSEY KENDIG, who is under the age of 18 years.

RECEIVED
JUL 26 1989
CLERK OF COURTS
CHESTER CO. PA.

of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, in violation of 27 P.S. 6301 and 27 P.S. 6301 of the Act of Penna Crimes Code

(Section)

(Sub-section)

the 1989 Ordinance of 1989

(Political Sub-division)

(3) I ask that a warrant of arrest or a summons be issued and that the accused be required to answer the charges I have made.

(4) I, verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa. C.S. §4904) relating to unsworn falsification to authorities.

October 18, 1989

(Signature of Affiant)

AND NOW, on this October 18, 1989, I certify the complaint has been properly completed and verified, and that there is probable cause for the issuance of process.

15-2-012

(Magisterial District)

(Issuing Authority)

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CHESTER

Complaint No.

OTN

Date of Affidavit

October 16, 1989

AFFIDAVIT PA. R. CRIM. P. 119

Det. Donna J. Carroll, Chester Co. Dets. [redacted]
Chief TR Marchegiano, Schuylkill Twp Police Dept Phoenixville, Pa 19460

Name of Affiant (Police Dept. or address of private affiant) (Phone No.)
being duly sworn (or affirmed) before me according to law, deposes and
says that there is probable cause as stated below for the issuance of
process for the defendant named herein:

Defendant's name and address is : Russell Appler

A.K.A. DOB 06-20-25

R.S.A.

Valley Forge Pa 19481

The defendant violated (describe conduct or specify statute):

Indecent Exposure(PCC 3127) Corruption of Minors(PCC 6301 A)

Endangering the Welfare of Children (PCC 4304)

Date of violation Aug, 1989

Probable cause belief is based on the following facts and circumstances:

On October 16, 1989 at 0900hrs Mr & Mrs [redacted] stated
that back in August of 1989 [redacted] was a
victim of an indecent exposure at the Appler Residence on [redacted]
[redacted] Schuylkill Twp. Your Affiant along with Officer
Fetterman spoke with [redacted] and her parents in reference to the comp.
[redacted] stated that in August of 1989 she was at the residence
of a friend of hers, [redacted]. She stated that they were in the
pit area of the den playing Nintendo. Russell Appler then came into the
den wearing a [redacted] robe. [redacted] then went to ask her father, Russell,
if [redacted] could spend the night at there residence. At this point,
Russell Appler, the defendant lifted up his robe with his hand and
exposed his genitals to [redacted] stated that he lifted the
robe up to his waist and kept holding the robe up for approx 5 minutes.
[redacted] stated that she became very nervous and kept trying to look
away. The defendant then asked [redacted] if she wanted to sleep over.
He then asked her what type of games she liked to play. [redacted] stated
that Mr Appler put down the robe a couple of times but then pulled the
robe back up. [redacted] was 10 yrs old at the time of the incident.

The above forementioned incident did occur in [redacted]
[redacted] in the Commonwealth of Pennsylvania. Your affiant is
employed by the Schuylkill Twp Police Dept. The above affidavit
is a result of an investigation conducted and information recieved.

() Continued on Additional Paper
SWORN TO AND SUBSCRIBED BEFORE
ME THIS 16th DAY OF October, 1989

(Seal)

Signature of Issuing Authority

Mag. No. 15-2-01

Donna J. Carroll 13
Chief
Signature of Affiant (Badge No.)

CONF018133

COMMONWEALTH OF PENNSYLVANIA : COURT OF COMMON PLEAS
v. : CHESTER COUNTY, PENNSYLVANIA
: CRIMINAL
Russell Appler : NO. [REDACTED]

GUILTY PLEA COLLOQUY

The defendant agrees to enter a plea of guilty to the following crimes:

CRIME: Indecent Exposure

Info. # 4086-89 Count # 1 Crime Code § 18 P.S. 3127

Maximum Sentence: 2 years Maximum Fine: 5,000

Elements: For the purpose of arousing or gratifying sexual desire of himself or another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm.

Definition of Terms: _____

CRIME: Corruption of Minors

Info. # 4083-89 Count # 1 Crime Code § 18 P.S. 6301

Maximum Sentence: 5 years Maximum Fine: 10,000

Elements: Being over the age of 18 years and upwards, corrupts or tends to corrupt the morals of a child under the age of 18 years.

Definition of Terms: _____

Russell Appler
Defendant:

ADDITIONAL CRIMES TO WHICH DEFENDANT AGREES TO PLEAD GUILTY:

CRIME:

Info. # _____ Count # _____ Crime Code S _____

Maximum Sentence: _____ Maximum Fine: _____

Elements: _____

Definition of Terms: _____

CRIME:

Info. # _____ Count # _____ Crime Code S _____

Maximum Sentence: _____ Maximum Fine: _____

Elements: _____

Definition of Terms: _____

In support of his plea the defendant admits that the following facts did occur: In August of 1989, the defendant

came into the den area of his home wearing
only a robe. He left up his robe and exposed
his genitals to a 10 year old girl.

ALL COUNTS NOT DISPOSED OF ABOVE (NOT DISPOSED OF PURSUANT TO
PLEA BARGAIN, IF ANY, ATTACHED HERETO), INCLUDING SUMMARY
OFFENSES AT THE ABOVE INFORMATION NUMBER(S), ARE WITHDRAWN; AND
ANY OUTSTANDING BENCH WARRANTS ARE QUASHED.

Kenneth Apple
Defendant

CHECK ONE:

_____ This is an OPEN PLEA OF GUILTY to the crime(s) set forth on the previous page(s). There is no plea bargain or other agreement relating to the plea to those crimes.

✓ _____ This plea is part of a PLEA BARGAIN. If the Court accepts this PLEA BARGAIN, the defendant understands that his sentence(s) will be as set forth below. If the Court does not accept this bargain, then the plea of guilty will be deemed withdrawn.

FOR PLEA BARGAINS ONLY:

Information No: 4086-89 Count No: I Charge: Indecent Exposure
SENTENCE:

Imprisonment: _____ Probation: 2 years
Costs, plus \$ _____ fine; \$ 10.00 to the use of Claster Co.
Concurrent with/consecutive to: See below
Other Disposition: See below

Information No: 4086-89 Count No: II Charge: Corruption of Minors
SENTENCE:

Imprisonment: _____ Probation: 5 years
Costs, plus \$ _____ fine; \$ 10 to the use of Claster Co.
Concurrent with/consecutive to: Consecutive to Information No. 4083-89 and 4085-89 but
Other Disposition: No. 4083-89 and 4085-89 but
① No physical contact with children, other than his own, under age 15 years. See attached sheet.
Information No: _____ Count No: _____ Charge: _____

SENTENCE:
Imprisonment: _____ Probation: _____
Costs, plus \$ _____ fine; \$ _____ to the use of Claster Co.
Concurrent with/consecutive to: _____
Other Disposition: _____

Alan K. Crum
Assistant District Attorney

Date: 3/20/90

Stanley R. [Signature]
Defendant
[Signature]
Attorney for Defendant

(SIGN ON PAGE 4 IF THERE ARE ADDITIONAL DISPOSITIONS)

2. As a special condition of this problem, the defendant will enter and successfully participate and complete the Sex Offenders Program through the Adult Probation Office. The defendant, as part of that program, will be required to sign a waiver of confidentiality regarding any statements made by the defendant or information obtained by the Sex Offenders Program. Successful participation in the Sex Offenders Program requires complete admission to those offenses to which the defendant has pleaded guilty.

Courtroom No. 3 SENTENCING SHEET Page No. 1 of 1
Dkt. No. 4086-89 OTN C346182-4 Date 3-20-90
Defendant RUSSELL C. ARRIER Judge GAVIN
Alias(es) _____ D.A. CCANE
Open Guilty Plea _____ Plea Barg X Molo _____ N/P _____
Been found Guilty _____ V.O. Parole _____ Prob _____
Sentencing _____ Alford Plea _____ Sum. App _____
Defense Donatoni
Reporter St. Cam
Clerk JSS

Count 1 CHARGE: INDECENT EXPOSURE (M)
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for 2 yr _____ mo _____ days Pay (FINE) \$ 10.00 & \$ _____ Conc. with 4083-89 4086-89 costs
(U/C) _____
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count 2 CHARGE: OBSCURATION OF RECORDS (M)
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to 4083-89
Probation for 5 yr _____ mo _____ days Pay (FINE) \$ 10.00 & \$ _____ Conc. with _____ costs
(U/C) _____
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____ costs
(U/C) _____
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____ costs
(U/C) _____
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____ costs
(U/C) _____
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____ costs
(U/C) _____
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

OTHER CONDITIONS: _____
☒ Other counts are N/P or W/D.
☐ Credit for time served _____
☐ COAD and safe driving school _____
☐ Sentence to commence _____
☐ Parole order signed _____
☐ Work Release Approved _____
☐ EHC-Approved _____
☒ same conditions as 4083-89

CERTIFIED FROM THE RECORD
This _____ day of _____ 19 _____

Deputy Clerk of Courts

Court Clerk

CONF018138

IN THE COURT OF COMMON PLEAS
COUNTY OF CHESTER

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL ACTION NO. 4086-89

OTN: C346182-4

VS.

RUSSELL C. APPLER DEFENDANT

The District Attorney of Chester County, by this INFORMATION charges:

FIRST COUNT:

Indecent Exposure

That on or about AUGUST OF 1989, the defendant above named in the County aforesaid and within the jurisdiction of this Court did for the purpose of arousing or gratifying sexual desire of himself or of another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm,

Citation: 18 C.P.S.A., Section 3127.

SECOND COUNT:

Corruption of Minors

That on or about AUGUST OF 1989, the defendant above named in the County aforesaid and within the jurisdiction of this Court, did being the age of 18 years and upwards, corrupt or tend to corrupt the morals of a child under the age of 18 years or aided, abetted, enticed or encouraged a minor in the commission of any crime.

Citation: 18 C.P.S.A., Section 6301 (a).

THIRD COUNT:

Endangering Welfare of children

That on or about AUGUST OF 1989, the defendant above named, in the County aforesaid and within the jurisdiction of this Court, did knowingly endanger the welfare of the child by violating a duty of care, protection or support,

Citation: 18 C.P.S.A., Section 4304.

RECEIVED

JAN 17 1990
CLERK OF COURT
CHESTER COUNTY

all of which is against the Act of Assembly and the Peace and dignity of the Commonwealth of Pennsylvania.

CERTIFICATE OF READINESS

The District Attorney hereby

certifies that as of the fil-

ing of this information, the

Commonwealth is prepared to

proceed to trial.

Attorney for the Commonwealth

ASSISTANT DISTRICT ATTORNEY

Assistant District Attorney

John T Jeffers
DISTRICT JUSTICE

HISTORICAL DISTRICT NO. 15-2-01

Phoenixville, Pa 19460



COMPLAINT NUMBER <u>1467-F</u>	YEAR	TYPE	NUMBER
Complaint Numbers of Other Participants <u>408399</u>			
INCIDENT NUMBER 89-10-1926	UCR NO. 170	OTN XEXABISAME C346185-0	

COMMONWEALTH OF PENNSYLVANIA

DEFENDANT. VS.

Det. Donna J. CARROLL

James R Fetterman Patlm

Chester County Dets.

Schuylkill Twp Police

(Identify department or agency represented and political subdivision)

Valley Park Rd Phoenixville, Pa 19460

hereby state:

☒ I accuse the above named defendant, who lives at the address set forth above or,

☐ I accuse an individual whose name is unknown to me but who is described as _____

☐ his nickname or popular designation is unknown to me and, therefore, I have designated him herein as John Doe; with violating the penal laws of the Commonwealth of Pennsylvania at _____

Valley Forge Pa

(Place Political Subdivision)

in Chester County on or about Aug/Sept 1988

Participants were (if there were participants, place their names here, repeating the name of above defendant)

Russell C. Appler

Endangering the Welfare of Children (PCC 4304)

The acts committed by the accused were: (A) INDECENT EXPOSURE (PCC 3127 M-2) CORRUPTION MINORS (PCC 6301 A M-1); In that the defendant did knowingly and intentionally expose his genitals under circumstances in which he knew his conduct would cause affront and alarm, and that the defendant did knowingly and intentionally being of the age of 18 yrs and upward corrupt or tend to corrupt the morals of one _____, who is under the age of 18 yrs.

of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, in violation of 3127-6301 and A of the Act of Penna Crimes Code

the 4304 Ordinance of (Political Sub-division)

(3) I ask that a warrant of arrest or a summons be issued and that the accused be required to answer the charges I have made.

(4) I, verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa. C.S. §4904) relating to unsworn falsification to authorities.

October 18, 19 89

James R Fetterman
(Signature of Affiant)

AND NOW, on this October 18, 19 89, I certify the complaint has been properly completed and verified, and that there is probable cause for the issuance of process.

15-2-01

(Magisterial District)

[Signature] (SEAL)
(Issuing Authority)

ORIGINAL

SEE REVERSE SIDE FOR WAIVER AND FOOTNOTES

CONF018140

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CHESTER

Complaint No.

OTN

Date of Affidavit

October 16, 1989

AFFIDAVIT PA. R. CRIM. P. 119

Det. Donna J. Carroll, Chester Co. Dets.

James R Fetterman, Patlm Schuylkill Twp Police Dept Phoenixville, Pa 19460

Name of Affiant (Police Dept. or address of private affiant) (Phone No.)
being duly sworn (or affirmed) before me according to law, deposes and
says that there is probable cause as stated below for the issuance of
process for the defendant named herein:

Defendant's name and address is : Russell Appler

A.K.A.

R.S.A.

Valley Forge Pa 19481

The defendant violated (describe conduct or specify statute):

Indecent Exposure(PCC 3127) Corruption of Minors(PCC 6301 A)

Endangering the Welfare of Children (PCC 4304)

Date of violation Aug./Sept 1988

Probable cause belief is based on the following facts and circumstances:

On October 16, 1989 at 0900hrs Mr & [REDACTED] stated that
around the months of August /sept 1988 her daughter, [REDACTED]
was a victim of an indecent exposure at the Appler residence on [REDACTED]
[REDACTED] Pa Schuylkill Twp. Your Affiant along with Chief Thomas
Marchegiano spoke with [REDACTED] and her parents in reference to the comp,
and other incidents of the same nature.

[REDACTED] stated that between August and September 1988
she was attending a birthday party for [REDACTED] Appler at the Appler
residence. [REDACTED] stated that she was 9yrs old at the time. She
further stated that the party was a sleep over. She stated that they
were sleeping in the den. [REDACTED] stated that the next morning she woke
up and Russell Appler, the defendant entered the room and stood directly
over top of her with only a towel on. She stated that Mr Appler stood
in a fashion that she could see up the towel and she observed that he had
nothing on under the towel. She stated that he stood there for approx
two or three minutes. She stated that Mr Appler did not say anything to
her just looked down and smiled at her.

The above forementioned incident did occur in Schuylkill Twp
Chester County and in the Commonwealth of Pennsylvania. Your affiant is
employed by the Schuylkill Twp Police Dept. The above affidavit is a
result of an investigation conducted and information recieved. [REDACTED]
is now 10yrs old, however at the time of the incident she was 9.

(Continued on Additional Paper

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 15th DAY OF October, 1989

Signature of Issuing Authority

Mag. No. 15-2-01

Signature of Affiant (Badge No.)

CONF018141

mt 000 10/18/89

Continuation of Probable Cause For:

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CHESTER

Complaint Number

DNX Inv. Control #

C-252-89

Date of Affidavit

18 Oct 89

208300

of the room.

After the first incident, [REDACTED] stated that she was at the Appler residence working on a school project. Mr. Appler went out to a shed to see where Mr. Appler was. When [REDACTED] walked into the shed, Mr. Appler was standing there with no clothes on. [REDACTED] ran from the shed. This shed is located on the Appler property.

On another occasion, approximately one month later, [REDACTED] was in the kitchen at the Appler residence. Mr. Appler walked in and walked towards [REDACTED]. Mr. Appler was not wearing any clothing.

Another child by the name of [REDACTED] was at the Appler residence during the summer of 1988. [REDACTED] was staying over night at the Appler residence with another friend by the name of [REDACTED] and [REDACTED] were in [REDACTED] room with [REDACTED]. Mr. Appler came to the door of the bedroom, wearing only a towel. Mr. Appler opened the towel and exposed his genitals to [REDACTED]. [REDACTED] was also interviewed concerning this incident. [REDACTED] also stated the incident occurred in the Appler residence. The towel was described as wrap-around, with velcro, short in length.

[REDACTED] also relates that between August and September 1988, she was in at the Appler residence staying overnight. [REDACTED] was sleeping in the den. The next morning, [REDACTED] woke up and the defendant was standing over her with only a towel on. [REDACTED] stated that Mr. Appler had nothing on under the towel.

[REDACTED] stated that in Aug 1989 she was again at the Appler residence. [REDACTED] asked her [REDACTED] Russell Appler, if [REDACTED] could stay over night. Mr. Appler was wearing a robe. At this point, the defendant lifted up his robe to his waist and held the robe up, exposing his genitals. The defendant asked [REDACTED] if she wanted to stay over night. This incident occurred in the den of the residence. This robe came to above the knee.

In September 1980, Mr. Russell Appler was interviewed by Chief Marchegiano Schuylkill Twp PD. Mr. Appler voluntarily told the Chief that he had been involved in an incident with two minor females. This incident was involving Mr. Appler indecently exposing himself to the females. Mr. Appler was then seeing

SWORN TO AND SUBSCRIBED BEFORE

ME THIS 18 DAY OF Oct 1989

Signature of Issuing Authority
Mag. Dist. No. 15-89

Signature of Affiant (Badge #) 13

CONF018142

MT AD# 10/18/89

Continuation of Probable Cause For:

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CHESTER

Complaint Number
XXXX Inv. control # C-252-89
Date of Affidavit 18 Oct 89

a doctor about his problem.

On 18 Oct 89, your affiant interviewed [REDACTED], wife of Russell Appler. [REDACTED], when asked by this affiant if she was aware that her husband had been arrested in the 1940s and 1950s for similar charges to the ones he had been arrested for on this date, replied, she did not know he had been arrested, but she knew he saw a doctor for the problem. Mr. Appler was arrested on this date for charges of Criminal Att. Rape, Indecent exposure, indecent assault, simple assault, corruption, endangering the welfare of children, involving three victims. Prior to interviewing [REDACTED], this writer advised [REDACTED] that Mr. Appler was being arrested for sexual acts involving children.

Based on the aforementioned information and it's indication of a history of sexual interest in children, and his history of acting on that interest, your affiant respectfully requests that a search warrant be issued for the residence of Russell Appler and any out buildings on his property.

RECEIVED
DEC 19 1989
SWORN TO AND SUBSCRIBED BEFORE
ME THIS 18 DAY OF October
1989
Signature of Issuing Authority
Mag. - Dist. No. [REDACTED]

Signature of Affiant (Badge 11)

COMMONWEALTH OF PENNSYLVANIA : COURT OF COMMON PLEAS
: CHESTER COUNTY, PENNSYLVANIA
7. : CRIMINAL
Russell Apple : NO. 4083-89

GUILTY PLEA COLLOQUY

The defendant agrees to enter a plea of guilty to the following crimes:

CRIME: Indecent Exposure

Info. # 4083-89 Count # I Crime Code § 18 P.S. 3127

Maximum Sentence: 2 yrs. Maximum Fine: \$5,000

Elements: For the purpose of arousing or gratifying sexual desire of himself or another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm.

Definition of Terms: _____

CRIME: CORRUPTION OF MINORS

Info. # 4083-89 Count # ~~III~~ II Crime Code § 18 P.S. 4301

Maximum Sentence: 5 years Maximum Fine: 10,000

Elements: Being over the age of 18 years and upwards; corrupt or tend to corrupt the morals of a child under the age of 18 years or aided, abetted, enticed or encouraged a minor in the commission of a crime.

Definition of Terms: _____

Russell Apple
Defendant

CHECK ONE:

 This is an OPEN PLEA OF GUILTY to the crime(s) set forth on the previous page(s). There is no plea bargain or other agreement relating to the plea to these crimes.

✓ This plea is part of a PLEA BARGAIN. If the Court accepts this PLEA BARGAIN, the defendant understands that his sentence(s) will be as set forth below. If the Court does not accept this bargain, then the plea of guilty will be deemed withdrawn.

FOR PLEA BARGAINS ONLY:

Information No: 4083-89 Count No: 1 Charge: Indecent Exposure
SENTENCE:

Imprisonment: Probation: 2 yrs.
Costs, plus \$ fine; \$ 10.8 to the use of Chester Co.
Concurrent with/consecutive to:
Other Disposition: See below

Information No: 4083-89 Count No: II Charge: Corruption of Minors
SENTENCE:

Imprisonment: Probation: 5 yrs.
Costs, plus \$ fine; \$ 10 to the use of Chester Co.
Concurrent with/consecutive to: Count I & 4083-89
Other Disposition: ① No unsupervised physical contact with children, other than his own, under the age of 15 years
② See attached sheet
Information No: Count No: Charge:

SENTENCE:
Imprisonment: Probation:
Costs, plus \$ fine; \$ to the use of Chester Co.
Concurrent with/consecutive to:
Other Disposition:

[Signature]
Assistant District Attorney
Date: 3/26/90

[Signature]
Defendant
[Signature]
Attorney for Defendant

(SIGN ON PAGE 4 IF THERE ARE ADDITIONAL DISPOSITIONS)

2. As a special condition of this problem, the defendant will enter and successfully participate and complete the Sex Offenders Program through the Adult Probation Office. The defendant, as part of that program, will be required to sign a waiver of confidentiality regarding any statements made by the defendant or information obtained by the Sex Offenders Program. Successful participation in the Sex Offenders Program requires complete admission to those offenses to which the defendant has pleaded guilty.

I N T H E C O U R T O F C O M M O N P L E A S
C O U N T Y O F C H E S T E R

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL ACTION NO. 4083-89OTN: C346185-0

VS.

RUSSELL C. APPLER DEFENDANT

The District Attorney of Chester County, by this INFORMATION charges:

FIRST COUNT:

Indecent Exposure

That on or about AUGUST-SEPTEMBER 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court did for the purpose of arousing or gratifying sexual desire of himself or of another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm,

Citation: 18 C.P.S.A., Section 3127.

SECOND COUNT:

Corruption of Minors

That on or about AUGUST-SEPTEMBER 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court, did being the age of 18 years and upwards, corrupt or tend to corrupt the morals of a child under the age of 18 years or aided, abetted, enticed or encouraged a minor in the commission of any crime.

Citation: 18 C.P.S.A., Section 6301 (a).

THIRD COUNT:

Endangering Welfare of children

that on or about AUGUST-SEPTEMBER 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court, did knowingly endanger the welfare of the child by violating a duty of care, protection or support,

Citation: 18 C.P.S.A., Section 4304.

RECEIVED

JAN 17 1990
EAST
CLERK
CHESTER

all of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania

CERTIFICATE OF READINESS

The District Attorney hereby certifies that as of the filing of this information, the Commonwealth is prepared to proceed to Trial.

James P. McEwen
Attorney for the Commonwealth
BY:

[Signature]
Assistant District Attorney

Courtroom No. 3 SENTENCING SHEET Page No. 1 of 1
Dkt. No. 4082 29 OTN C 346185-0 Date 3-20-90
Defendant Russell C. Apple Judge Gavin
Alias(es) _____ D.A. CCAYE
Open Guilty Plea _____ Plea Bargain Nolo N/P _____ Defense Donatoni
Been found Guilty _____ V.O. Parole _____ Prob _____ Reporter STANHAM
Sentencing _____ Alford Plea _____ Sum. App _____ Clerk JSS

Count / CHARGE: INDECENT EXPOSURE (M)
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for 2 yr _____ mo _____ days Pay (FINE) \$ 10.00 & \$ _____ Conc. with _____
(U/C) _____ costs
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count 2 CHARGE: OBSCURATION OF MURDER (M)
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for 5 yr _____ mo _____ days Pay (FINE) \$ 10.00 & \$ _____ Conc. with Count 1
(U/C) _____ costs
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____
(U/C) _____ costs
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____
(U/C) _____ costs
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____
(U/C) _____ costs
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

Count CHARGE: _____
Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____
Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ Conc. with _____
(U/C) _____ costs
SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs
RESTITUTION OF _____ TO _____

OTHER CONDITIONS:
☒ Other counts are N/D or W/D.
☐ Credit for time served _____
☐ COAD and safe driving school
☐ Sentence to commence _____
☐ Parole order signed _____
☐ Work Release Approved _____
☐ EHC Approved _____

CERTIFIED FROM THE RECORD

This _____ day of _____ 19 _____

OTHER THAN HIS OWN, UNDER THE AGE OF 15.

Deputy Clerk of Courts

Court Clerk

CONF018149

JEFFERS

DISTRICT JUSTICE

NO. 15-2-01

Penixville, PA



COMPLAINT NUMBER <u>0469-7</u>	YEAR	TYPE	NUMBER
Complaint Numbers of Other Participants			
408589			
INCIDENT NUMBER C-252-89	UCR NO. 170	OTN C346183-5	

I, the undersigned, do hereby certify that I am a duly qualified District Justice of the Commonwealth of Pennsylvania.

Chief T.R. Marchegiano

Det. Donna J. Carroll

Schuylkill Twp. of Chester County Dets.

NAME

AND

ADDRESS

Russell C. Appler, W/M/Dob: 20 Jun 2

Valley Forge, PA

R.S.A.

A.K.A?

do hereby state:

- (1) ☒ I accuse the above named defendant, who lives at the address set forth above or,
- ☐ I accuse an individual whose name is unknown to me but who is described as
- ☐ his nickname or popular designation is unknown to me and, therefore, I have designated him herein as John Doe;
- with violating the penal laws of the Commonwealth of Pennsylvania at Schuylkill Twp.
- (Place Political Subdivision)
- in Chester County on or about Summer of 1988

Participants were (if there were participants, place their names here, repeating the name of above defendant)

Russell C. Appler

- (2) The acts committed by the accused were: (A) Indecent Exposure, 3127, Corruption of Minors, 6301a and Endangering the Welfare of Children, 4304

In that the above named defendant did knowingly, willingly, and intentionally expose his genitals to a female minor for the purpose of his own gratification. In so doing this act, the defendant did corrupt the morals of a minor and did endanger the welfare of a child.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of 3127, 6301a, 4304 of the Act of Pa Crimes Code

(Section)

(Sub-section)

or the Ordinance of

(Political Sub-division)

- (3) I ask that a warrant of arrest or a summons be issued and that the accused be required to answer the charges I have made.
- (4) I, verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa. C.S. 4904) relating to unsworn falsification to authorities.

October 18

, 19 89

[Signature of Det. Donna J. Carroll]

(Signature of Affiant)

AND NOW, on this October 18, 19 89, I certify the complaint has been properly completed and verified, and that there is probable cause for the issuance of process.

15-201

(Magisterial District)

(Issuing Authority)

(SEAL)

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF CHESTER:

Complaint No.

OTN

Date of Affidavit

408583

AFFIDAVIT PA. CRIM. P. 119

Chief T.R. Marchegiano/Schuylkill Twp PD and Det. Donna J. Carroll/Chester Co. Dets
Name of Affiant (Police Dept. or address of private affiant) (Phone No.)
being duly sworn (or affirmed) before me according to law, deposes and
says that there is probable cause as stated below for the issuance of
process for the defendant named herein:

Defendant's name and address is:

A.K.A.

R.S.A.

Russell C. Appler, W/M/Dob: 20 Jun 25

Valley Forge, PA

The defendant violated (describe conduct or specify statute): Indecent Exposure,
3127, Corruption of Minors, 6301a, and Endangering the Welfare of Children, 430-
Date of Violation: Summer of 1988

Probable cause belief is based on the following facts and circumstances:

On 17 Oct 89, [redacted] was interviewed by Sue Lombardi, Chester
County Children and Youth Services. [redacted] provided Mrs. Lombardi with
the following information: [redacted] her friend [redacted] and [redacted]
[redacted] were all in [redacted] room. Mr. Appler came to the door of the room
wearing only a towel. Mr. Appler opened the towel, exposing his genitals.
[redacted] stated she kept looking away, but Mr. Appler made noises to make
[redacted] and [redacted] look at him. [redacted] saw Mr. Appler's penis. Mr
Appler did not say anything, he just smiled and walked away. This incident
occurred at night.

The Appler residence is located on [redacted],
Chester County, PA.

Based on the above information, your affiants believe that probable
cause does exist and respectfully requests that a warrant be issued for
Russell Appler charging him with Indecent Exposure, Corruption of minors,
and endangering the welfare of children.

() Continued on Additional Paper
SWORN TO AND SUBSCRIBED BEFORE
ME THIS DAY OF 10/18/89

Signature of Issuing Authority

J. No. 10-18-89

Det. Donna J. Carroll 13
Signature of Affiant (Badge Number)

CONF018151

COMMONWEALTH OF PENNSYLVANIA

: COURT OF COMMON PLEAS

: CHESTER COUNTY, PENNSYLVANIA

: CRIMINAL

: NO. 4085-89

Russell Applec

GUILTY PLEA COLLOQUY

The defendant agrees to enter a plea of guilty to the following crimes:

CRIME: Indecent Exposure

Info. # 4085-89 Count # I Crime Code § 18 P.S. 5127

Maximum Sentence: 2 years Maximum Fine: \$5,000

Elements: For the purpose of arousing or gratifying sexual desire of himself or another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm.

Definition of Terms: _____

CRIME: CORRUPTION OF MINORS

Info. # 4085-89 Count # II Crime Code § 18 P.S. 6301

Maximum Sentence: 5 years Maximum Fine: 10,000

Elements: Being over the age of 18 years and upwards, corrupt or tend to corrupt the morals of a child under the age of 18 years.

Definition of Terms: _____

Russell Applec
Defendant

ADDITIONAL CRIMES TO WHICH DEFENDANT AGREES TO PLEAD GUILTY:

CRIME:

Info. # _____ Count # _____ Crime Code § _____

Maximum Sentence: _____ Maximum Fine: _____

Elements: _____

Definition of Terms: _____

CRIME:

Info. # _____ Count # _____ Crime Code § _____

Maximum Sentence: _____ Maximum Fine: _____

Elements: _____

Definition of Terms: _____

In support of his plea the defendant admits that the following facts did occur: On the summer 1988, the defendant

came to the door of a bedroom in his home
while wearing only a towel. The defendant
exposed his genitals to two (2) nine year
old girls by opening the towel and making noise
to attract their attention

ALL COUNTS NOT DISPOSED OF ABOVE (NOR DISPOSED OF PURSUANT TO PLEA BARGAIN, IF ANY, ATTACHED HERETO), INCLUDING SUMMARY OFFENSES AT THE ABOVE INFORMATION NUMBER(S), ARE WITHDRAWN; AND ANY OUTSTANDING BENCH WARRANTS ARE QUASHED.

Kenneth Apple
Defendant

CHECK ONE:

_____ This is an OPEN PLEA OF GUILTY to the crime(s) set forth on the previous page(s). There is no plea bargain or other agreement relating to the plea to those crimes.

✓ _____ This plea is part of a PLEA BARGAIN. If the Court accepts this PLEA BARGAIN, the defendant understands that his sentence(s) will be as set forth below. If the Court does not accept this bargain, then the plea of guilty will be deemed withdrawn.

FOR PLEA BARGAINS ONLY:

Information No: 4085-89 Court No: I Charge: Indecent Exposure
SENTENCE:

Imprisonment: _____ Probation: 2 years
Costs, plus \$ _____ fine; \$ 10.00 to the use of Chester Co.
Concurrent with/consecutive to: with 4083-89
Other Disposition: see below

Information No: 4085-89 Court No: II Charge: Corruption of Minors
SENTENCE:

Imprisonment: _____ Probation: 5 years
Costs, plus \$ _____ fine; \$ 10.00 to the use of Chester Co.
Concurrent with/consecutive to: with Court I and 4083-89
Other Disposition: ① No unsupervised physical contact with children, other than her own, under the age of 15 years.
② See attached sheet.

Information No: _____ Court No: _____ Charge: _____
SENTENCE:

Imprisonment: _____ Probation: _____
Costs, plus \$ _____ fine; \$ _____ to the use of Chester Co.
Concurrent with/consecutive to: _____
Other Disposition: _____

Alan J. Brown
Assistant District Attorney

Date: 3/20/90

Russell B. Apple
Defendant
[Signature]
Attorney for Defendant

[SIGN ON PAGE 4 IF THERE ARE ADDITIONAL DISPOSITIONS]

2. As a special condition of this problem, the defendant will enter and successfully participate and complete the Sex Offenders Program through the Adult Probation Office. The defendant, as part of that program, will be required to sign a waiver of confidentiality regarding any statements made by the defendant or information obtained by the Sex Offenders Program. Successful participation in the Sex Offenders Program requires complete admission to those offenses to which the defendant has pleaded guilty.

Dkt. No. 4085-89 OTN C 346183-5Date 3-20-90Defendant RUSSELL C. APPLERJudge GAVIN

Alias(es) _____

D.A. CCPME

Open Guilty Plea _____ Plea Barg _____ Molo _____ N/P _____

Defense DAWSON

Seen found Guilty _____ V.O. Parole _____ Prob _____

Reporter STRAHAN

Sentencing _____ Alford Plea _____ Sum. App _____

Clerk JSSCount / CHARGE: INDECENT EXPOSURE

Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____

Probation for 2 yr _____ mo _____ days Pay (FINE) \$ 10.00 & \$ _____ costs

SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs

RESTITUTION OF _____ TO _____

Count 2 CHARGE: OBSCURATION OF MINORS

Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____

Probation for 5 yr _____ mo _____ days Pay (FINE) \$ 10.00 & \$ _____ costs

SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs

RESTITUTION OF _____ TO _____

Count CHARGE: _____

Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____

Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ costs

SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs

RESTITUTION OF _____ TO _____

Count CHARGE: _____

Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____

Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ costs

SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs

RESTITUTION OF _____ TO _____

Count CHARGE: _____

Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____

Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ costs

SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs

RESTITUTION OF _____ TO _____

Count CHARGE: _____

Committed for _____ yr _____ mo _____ days to _____ yr _____ mo _____ days Consec. to _____

Probation for _____ yr _____ mo _____ days Pay (FINE) \$ _____ & \$ _____ costs

SERVE SENTENCE AT CCP _____ SCI _____ Pay all sums within _____ days _____ mos _____ yrs

RESTITUTION OF _____ TO _____

OTHER CONDITIONS: _____

☒ Other counts are N/P or W/D.☐ Credit for time served _____☐ COAD and safe driving school _____☐ Sentence to commence _____☐ Parole order signed _____☐ Work Release Approved _____☐ EHC Approved _____☒ Same conditions as _____

This _____ day of _____ 19 _____

Deputy Clerk of Courts

Court Clerk

CONF018156

IN THE COURT OF COMMON PLEAS
COUNTY OF CHESTER

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL ACTION NO. 4085-89

OTN: C346183-5

VS.

RUSSELL C. APPLER DEFENDANT

The District Attorney of Chester County, by this INFORMATION charges:

FIRST COUNT:

Indecent Exposure

That on or about THE SUMMER OF 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court did for the purpose of arousing or gratifying sexual desire of himself or of another person not his spouse, unlawfully expose his genitals under circumstances in which he knew his conduct was likely to cause affront or alarm,

Citation: 18 C.P.S.A., Section 3127.

SECOND COUNT:

Corruption of Minors

That on or about THE SUMMER OF 1988, the defendant above named in the County aforesaid and within the jurisdiction of this Court, did being the age of 18 years and upwards, corrupt or tend to corrupt the morals of a child under the age of 18 years or aided, abetted, enticed or encouraged a minor in the commission of any crime.

Citation: 18 C.P.S.A., Section 6301 (a).

THIRD COUNT:

Endangering Welfare of children

That on or about THE SUMMER OF 1988, the defendant above named, in the County aforesaid and within the jurisdiction of this Court, did knowingly endanger the welfare of the child by violating a duty of care, protection or support,

Citation: 18 C.P.S.A., Section 4304.

RECEIVED

12/17/89
JAN 17 1990
EX-107
CHESTER CO. PA.

all of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

CERTIFICATE OF READINESS

The District Attorney hereby certifies that as of the filing of this information, the Commonwealth is prepared to proceed to trial.

proceed to trial

[Signature]
Assistant District Attorney

READY FOR FILE

APR 03 1990

A. GRAVES

April 2, 1990

Mr. Paul D. Beauregard
Scout Executive
Chester County Council, No. 539

PERSONAL AND CONFIDENTIAL

SUBJECT: Russell C. Appler

Dear Paul:

I hate to bother you again, but wondered if the legal action had now been completed related to the above named individual. We would like a newspaper clipping or a court record indicating the outcome of that legal action.

Thanks for your help in completing this file.

Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: Northeast Region

CONF018158

December 15, 1989

READY FOR FILE

DEC 18 1989

Mr. Paul D. Beauregard
Scout Executive
Chester County Council, No. 539

JULIE FIELDER

PERSONAL AND CONFIDENTIAL

SUBJECT: RUSSEL C. APPLER

Dear Paul:

I appreciate the material you recently sent concerning the above named individual. This is most helpful as we start a file which will lead to refusal of registration in the future.

I would like the outcome of the legal action, once it has been completed. This will strengthen our file for the future.

Thanks for your help in protecting the youth of America.

Sincerely,

Paul Ernst, Director
Registration Service

jf

cc: Northeast Region

CONF018159

Appendix A

SUSPECTED CHILD ABUSE REPORTING FORM

BOY SCOUTS OF AMERICA

The following information was provided to:

Paul D. Beauregard, Scout Executive

(Name of person/position)

Chester County Council, B.S.A. 504 South Concord Rd., West Chester

(Telephone number/address)

PA 19382

Name of suspected abuser: Russell Appler AKN Applegate & Goodfellow

Address: [REDACTED] PA 19481

Telephone No.: [REDACTED] Scouting position if known: T-73

Child's name: [REDACTED] Date of birth: [REDACTED]

Address: [REDACTED] PA 19460

Parent's name: [REDACTED]

Address: Same as above

Telephone No. [REDACTED]

Physical indicators observed: _____

Behavioral indicators observed: _____

Other indicators observed/known: Reported by child two years after
incident occurred.

Reporter's name and position: Mother - [REDACTED]

Date of report: 9/26/89 Signature: *Paul D. Beauregard*

Reported to the PA Child Welfare Dept. on 9-21-89.

Report made to me in the presence of Committee Chairman
Charles McCarthy [REDACTED]

Discussed with Council Attorney on 9-28-89, reviewed
procedure and agreed the BSA & GSUSA thru same attorney
should also report incident.

*Added to IC file
initiated from IC
2/13/89*

CONF018160

Incident Report

On Tuesday, September 26, 1989 [REDACTED] and [REDACTED] met with me in my office. [REDACTED] stated that in the previous week her 9 year old daughter acknowledged that she had been molested 2 years earlier by Russell Appler.

The incident occurred during a Girl Scout Brownie meeting at the Appler home. [REDACTED] was serving as the Girl Scout Leader. During the course of the meeting, Mr. Appler lured [REDACTED] to their upstairs bedroom where he molested her.

According to the mother - "he did everything imaginable except rape her". Since then both parents and teachers noticed personality changes in the child. The mother did seek professional help and the counselor was the individual who made the report to the State and recommended disclosure to the Girl Scouts and Boy Scouts.

I informed [REDACTED] that we needed the report from the State Child Welfare Department for our records. I have further communicated with Teri Kaly, Executive Director of the Freedom Valley Girl Scout Council.

Schuylkill man charged in child molesting incidents

By DANIEL R. TIPTON
(Of the Local News Staff)

SCHUYLKILL — Police arrested a township man Thursday and charged with attempting to rape a 7-year-old girl and indecently exposing himself to two 10-year-old girls, according to court affidavits.

Russell C. Appler, 64, of Oakwood Lane, Valley Forge, was charged with the attempted rape after his victim, now 10, told her parents about the assault last month, according to affidavits filed with District Justice John T. Jeffers of Phoenixville. The incident allegedly occurred in 1986.

Appler was also charged with indecently exposing himself to the two 10-year-old girls while they were visiting his home during the summer, according to the affidavits.

Chester County Detectives Lt. Michael Cotter said the investigation is continuing.

Appler was arraigned before Jeffers and was released Thursday af-

ternoon after he posted \$5,000 bail.

According to a search warrant filed with Jeffers, Appler admitted to police that he was involved in two indecent exposure incidents. He also told police that he was seeing a doctor about the incidents, according to the search warrant.

Appler's wife, Linda, told police that Appler had seen a doctor after "similar" incidents that occurred in the 1940s and 1950s, according to the search warrant.

Police said in the search warrant that Appler was arrested for the earlier incidents. Details of the earlier incidents were not included in the search warrant.

According to the affidavits, Appler attempted to rape the 7-year-old girl in September or October of 1986.

The girl told police that she was looking at plaques hanging on a hallway wall in the suspect's home when she asked her to come into his bedroom, according to the affidavits.

The girl went into the bedroom and

the suspect allegedly attempted to rape her there, according to the affidavits.

The girl escaped from the room but not before the suspect allegedly slapped her, kicked at her and threatened her and her parents, according to the affidavits.

The suspect also exposed himself to the girl on another occasion, according to the affidavits.

Appler was charged with criminal attempted rape, indecent assault, simple assault and three counts each of indecent exposure and corruption of minors for the incidents, according to affidavits.

He was charged with four counts each of indecent exposure, corruption of minors and endangering the welfare of children for allegedly exposing himself one time to one 10-year-old girl and three times to another 10 year-old girl, according to the affidavits.

All of the incidents allegedly took place during the summer.



Chester County Council

BOY SCOUTS OF AMERICA

504 South Concord Road, West Chester, Pa. 19382

September 28, 1989

Mr. Russell Appler

Valley Forge, PA 19481


Dear Mr. Appler:

After careful review, we have decided that your registration with the Boy Scouts of America should be denied. We are therefore compelled to request that you sever any relations that you may have with the Boy Scouts of America. A refund of your registration fee is enclosed.

You should understand that BSA membership registration is a privilege and is not automatically granted to everyone who applies. We reserve the right to refuse registration whenever there is a concern that an individual may not meet the high standards of membership which the BSA seeks to provide for American youth.

If you wish to have this decision reviewed by a BSA regional review committee, please write to the regional director within 60 days of the date of this letter, explaining your version of the facts supporting your claim that your registration as a BSA member should be reinstated. The procedures for a review of this decision are attached.

Sincerely yours,


Paul D. Beauregard
Scout Executive

PDB/mm

CONF018163

MS08 12/13/89
11:07:17

MEMBERSHIP SUPPORT SYSTEM
MEMBER DELETE

CNCL 539 PRG/UNIT S0073 SEQ. 032268
FIRST: RUSSELL
ADDR1: [REDACTED] PA
ADDR2: [REDACTED]
ADDR3: [REDACTED]
ADDR4: [REDACTED]
ZIP: 19481
REG STATUS: R ENROLL: 0189 BIRTH: 0000 SEX: M AGENCY: M ADULT/YOUTH: A
POSITION: MC FINDERCODE: 01 PHONE: [REDACTED] BULK: MAG-STATUS:
REN DAT: 1289
TRANSFER FROM = CNCL: PGM/UNIT: SEQ: TRANSFER DATE:

MAGAZINES									
---SOURCE---		PRICE	SUB	STRT	---COPIES---	ISSUES TO GO	AREAR	LAST LABEL	EXP
TYPE	CNCL	P/UNT	CODE	TRM	DATE	FIRST	LAST	ORIG	TOTAL
S				06	0389	0389	0190	00	000
									00
									2411
									0190

PF2>DELETE PF12>MENU CLR>END
MEMBER DELETED FROM DATABASE SUCCESSFULLY